

BILL NO.: 4637

ORDINANCE NO.: _____

Introduced by: Council Present

AN ORDINANCE FOR THE CITY OF BERKELEY, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED AGREEMENT WITH SWEETENS CONCRETE SERVICE, LLC FOR THE SIDEWALK REPLACEMENT PROJECT ACCORDING TO BID #873 – CDBG FUNDS

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1. The Mayor is hereby authorized to execute the Sweetens Concrete Service, LLC agreement for the sidewalk replacement project according to Bid #873, by means of CDBF funds.

Section 2. The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

1st Reading this 16th day of July 2018

2nd Reading this _____ day of _____ 2018

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2018

Theodore Hoskins, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mathison	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Greene	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___

PROJECT AGREEMENT

THIS AGREEMENT made this _____ day of _____ 2018, by and between the City of Berkeley (a municipal corporation organized and existing under the laws of the State of Missouri), herein after called the "Owner" and the Sweetens Concrete Service, LLC (a Limited Liability Company, Partnership or Corporation consisting of _____) hereinafter called the Contractor".

WITNESSETH: that the Contractor and the City of Berkeley, Missouri, for the considerations stated herein agree as follows:

STATEMENT OF WORK: The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, and services and perform and complete all work required for **BID 873, SIDEWALK REPLACEMENT PROJECT**, and any and all required supplemental work for completion of the project in accordance with the Plans, Specifications, and all Contract documents.

The Contractor must either notify the City of Berkeley at least one business day prior to doing work or provide a schedule and notify the City of Berkeley one business day prior to doing work for any changes in the schedule. The City of Berkeley street inspector will be present to inspect the work before payment.

Payments will direct pay from Saint Louis County Planning Department with Community Development Block Grant Funds; and shall made within 30 days after the City approves the final inspection of the project, and the contractor submits a final invoice. The final invoice will not be paid until after the City approves the completion of the project. All changes order must be approved by Saint Louis County and the City of Berkeley, depending on available funds.

CONTRACT: The executed Contract documents consist of the documents furnished to each bidder and the Contractor for this project. .

IN WITNESS WHEREOF, the contract parties hereto have caused this **AGREEMENT** to be executed in **one (1) original and three (3) copies** on the day and year first above written.

Contractor: **Sweetens Concrete Service, LLC**

City of Berkeley, Missouri

By: _____

By: _____

Title: _____

Title: Mayor

Street: _____

Street: 8425 Airport Road

City: _____

City: Berkeley, MO 63134

Attest

Attest

By: _____

By: _____

Title: _____

Title: _____